

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 5, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, December 5, 1979 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Katnich, McCarty, Pinkerton,
 and Katzakian (Mayor)

Councilman Hughes arrived at approximately 8:40 p.m.

Absent: Councilmen - None

Also City Manager Graves, Assistant City
Present: Manager Glenn, Public Works Director
Ronsko, City Attorney Stein and City Clerk
Reimche

INVOCATION The invocation was given by Reverend Janell Osborne,
Zion Reform Church.

PLEDGE Mayor Katzakian led the Pledge of Allegiance to the flag.

MINUTES On motion of Councilman Pinkerton, Katnich second,
 Council approved the Minutes of November 7, 1979
 as written and mailed.

PLANNING CityManager Graves gave the following report on the
COMMISSION Planning Commission Meeting of November 26, 1979.
The Planning Commission.

ITEMS OF
INTEREST

1. Approved the request of Mr. Terry Piazza, Consulting Engineer, on behalf of H and M Builders for approval of the Tentative Map of Lodi South Subdivision located on the east side of South Church Street, south of the Lowe's Village Subdivision.
2. Approved the request of Mr. John Costamagna for a Variance to create a lot with a street width of 55 feet which varies the 60 foot lot width requirement located at 1910 South Church Street in an R-1, Single-Family Residential District.
3. Approved the request of Mr. Marvin Mounce to vary the adopted City of Lodi parking standards which prohibits backing across a public sidewalk from a parking stall in an industrially zoned area at 54 North Cluff Road.
4. Approved the request of Grace Presbyterian Church for a Use Permit for a multi-purpose unit to be used for church school and fellowship hall facilities located at 10 North Mills Avenue in an area zoned R-1, Single-Family Residential.
5. Approved the request of Century Assembly Church for a Use Permit to develop an athletic field for school use south of an existing church parking lot at 2220 Scarborough Drive in an area zoned P-D(4), Planned Development District No. 4.
6. Denied the request of Century Assembly Church for a Variance to the allowable fence height in a front yard area from 3½ feet to 6 feet adjacent to a proposed school athletic field at 2220 Scarborough Drive in an area zoned P-D(4), Planned Development District No. 4.

7. Recommended that the San Joaquin County Planning Commission approved the request of Mr. J. Jeffrey Kirst for the approval of the Tentative Map of Country View Estates, a 146 lot residential development located on the south side of Woodbridge Road 950 feet west of Augusta Street, Town of Woodbridge in an area presently zoned GA-1, General Agriculture, and R-2, Residential.

8. Recommended that the San Joaquin County Planning Commission approve the following items related to the proposed Country View Subdivision.

a. The request of Mr. J. Jeffrey Kirst to reclassify property from GA-1, general agriculture to R-2, Residential and R-3, Residential in an area located on the south side of Woodbridge Road, 950 west of Augusta Street; and

b. the request of Mr. J. Jeffrey Kirst, et al to reclassify property from GA-1, General Agriculture to R-2, Residential in an area located on the north side of Augusta Street, 350 feet west of Chestnut Street, Town of Woodbridge.

9. Recommended that the San Joaquin County Planning Commission to reclassify property from I-PA, Interim Protected Agriculture; GA-5 and GA-20, General Agriculture, EA-5, Exclusive Agriculture and C-2, Community Commercial to GA-10, GA-20, GA-40 and/or GA-80 in an area generally bounded by Acampo Road on the north, the Mokelumne River on the east and south and State Route 99 on the West.

COMMUNICATIONS

City Clerk Reimche presented a Notice which had been received from Pacific Gas and Electric Company advising that in Application No. 59248, filed with the California Public Utilities Commission on October 31, 1979, it has requested authorization under its Energy Cost Adjustment Clauses to increase, effective January 1, 1980, its electric rates and charges related to energy costs. The proposed adjustment rates will increase PG and E's electric revenues about 21.7% or \$484.7 million on an annualized basis.

PUC APPLICATIONS

The City Clerk also presented a Notice which had been received from Pacific Gas and Electric Company advising that in Application No. 59249 it has requested authorization under its Gas Adjustment Clause (GAC) to revise its gas service tariff effective January 1, 1980 to reflect (1) recoverable gas costs, primarily increased purchased gas costs, and (2) the gas margin authorized in PG and E's last general gas rate case. The effect of the requested GAC rates would increase PG and E's gas revenues approximately 23.5% or \$535.7 million on an annualized basis.

The City Clerk also advised the City Council that Pacific Telephone has made application to PUC on November 1, 1979 for higher rates which will produce \$381 million in annual revenue --- a 9.4 percent increase.

Minutes of December 5, 1979, continued

RATE
INCREASE
REQUESTED BY
LODI
AMBULANCE
SERVICE

The City Clerk presented a letter which had been received from Lodi Ambulance Service on November 29, 1979. The letter states that "a cost projection of 15% inflation raise would enable us to stay at a level of professional service our community is now receiving." Income statements for the company were attached for Council's review.

Following Council discussion, the City Clerk was directed to place this matter on the December 19, 1979 City Council meeting agenda.

CALIF. LAND
CONSERVATION
CONTRACTS

The City Clerk advised the Council that a letter had been received from the Clerk of the Board of Supervisors advising that pursuant to Section 51243.5 of the Government Code that the Board of Supervisors intends to enter into California Land Conservation Contracts which will include land within one mile of the exterior boundaries of the City of Lodi on the following parcels:

1. Esther I. and Herbert R. Nickel; Joyce Marie Nickel; Steven Karl Nickel - Assessor's Parcel No. 049-070-20.

2. Gail and Steven Nickel, Assessor's Parcel No. 061-132-01.

The City Clerk further advised that with Council's permission this matter will be placed on the December 19, 1979 agenda at which time background information regarding the subject will be presented for Council's perusal.

Following receipt of a Claim presented on behalf of Letitia Asta, Date of Loss - August 28, 1979, Council took the following action:

CLAIM

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council denied the aforementioned Claim and referred the matter to R. L. Kautz and Co., the City's Contract Administrator.

JOHNSON RANCH
REORGANIZATION
AND DETACHMENT
SET FOR
PUBLIC HEARING

Following introduction of the matter by City Clerk Reimche and with Mayor Katzakian asking to abstain from discussion and voting on the matter because of a possible conflict of interest, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, adopted Resolution No. 79-175 - "A Resolution of the City Council of the City of Lodi Providing for Notice of Public Hearing (Hearing set for 8:00 p.m., January 2, 1980) Upon a Proposed Reorganization - Johnson Ranch Addition (LAFC 32-79) Including Annexation to the City of Lodi, and Detachment of Affected Territory from the Woodbridge Rural County Fire Protection District". The motion carried by the following vote:

RES. NO.
79-175

Ayes: Councilmen - Katnich, McCarty, and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - Hughes

Abstain: Councilmen - Katzakian

REPORTS OF
THE CITY
MANAGER

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council

Minutes of December 5, 1979, continued

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$406,952.21

ACCEPT IMPROVE-Council was advised that the improvements included
MENTS CURB, in the contract which had been awarded to
GUTTER REPLACE-Teichert Construction of Stockton on July 3,
MENT, CENTRAL, 1979 for "Curb and Gutter Replacement, Central
OAK AND HUT- Avenue, Walnut Street to Oak Street (West
CHINS Side), Oak Street - Stockton Street to Washington
Street, Washington Street - Oak Street to Alley
N/Oak (West Side)" has been completed in substantial
conformance with the plans and specifications
approved by the City Council.

THE CITY COUNCIL ACCEPTED THE AFOREMENTIONED
CURB AND GUTTER REPLACEMENT IMPROVEMENTS AND
DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A
NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S
OFFICE.

APPROVAL OF
AMENDED
SUBDIVISION
AGREEMENT FOR
WINCHESTER
ACRES

The subdivider of Winchester Acres, at the request
of the City, obtained bids from various contractors
for the portion of the work fronting Hutchins
Street, which is the City's responsibility. The
bid for the work is the lowest received, and the
subdivider is willing to handle the additional
work at the contractor's cost. It was Staff's
recommendation that the City Council authorize
the subdivider to go ahead with the work by
approving the agreement.

COUNCIL APPROVED A SUBDIVISION AGREEMENT AMEND-
MENT FOR WINCHESTER ACRES, TRACT NO. 1534 AND
AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREE-
MENT ON BEHALF OF THE CITY.

PLANS & SPECS
FOR "TRAFFIC
SIGNAL
INSTALLATIONS,
VARIOUS LOCA-
TIONS"
APPROVED

COUNCIL APPROVED PLANS AND SPECIFICATIONS FOR
"TRAFFIC SIGNAL INSTALLATIONS, VARIOUS LOCATIONS
FAU MG 3039 (1)," AND AUTHORIZED THE CITY CLERK
TO ADVERTISE FOR BIDS THEREON.

In general, the work consists of installing new
traffic actuated signals at Ham Lane and Vine,
and Lodi Avenue and Fairmont Avenue, a flashing
beacon at Stockton Street and Elm Street; con-
verting existing pre-timed signals to traffic
actuated signals at the intersections of Lodi
Avenue and Ham Lane, Crescent Avenue, Church
Street, School Street, Sacramento Street, Stockton
Street, Central Avenue and Cherokee Lane.

SPECS FOR
PADMOUNT
CAPACITORS
APPROVED

COUNCIL APPROVED THE SPECIFICATIONS FOR ONE 1800
KVAR, 3-PHASE SWITCHED CAPACITOR BANK AND AUTHORIZED
THE PURCHASING AGENT TO ADVERTISE FOR BIDS
THEREON.

City Manager Graves presented the following bids
which had been received for a 1980 Diesel Cab-
Over Dump Truck:

AWARD 1980
CAB-OVER
DUMP TRUCK

BIDDER	AMOUNT
Geweke Ford, Lakeside Body	\$32,484.36
Geweke Ford, PB Loader	\$34,774.44

Following recommendation of the City Manager,
Council adopted the following resolution:

RESOLUTION NO. 79-176

RES. NO.
79-176

RESOLUTION AWARDDING THE CONTRACT FOR A 1980 DIESEL
CAB-OVER DUMP TRUCK TO GEWEKE FORD -LAKESIDE
BODY IN THE AMOUNT OF \$32,484.36

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SPECS FOR
LEASED
AUTOMOBILES
APPROVED

Following introduction of the matter by City Manager Graves, the City Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second, approved specifications for "Used Leased Automobiles" and authorized the Purchasing Agent to advertise for bids thereon.

City Manager Graves advised the Council that the City had opened bids for Phase II of the Municipal Service Center on November 20, 1979 and the following four bids were received.

MUNICIPAL
SERVICE CENTER,
PHASE II BIDS
REJECTED

<u>BIDDER</u>	<u>BASE BID</u>
Kimmel Construction, Inc.	\$723,666
Brown Sheet Metal & Mechanical, Inc.	\$733,734
F & H Construction	\$735,340
Fanos Construction	\$752,181

In addition to the base bid, the City also asked for an alternate bid for modification of the warehouse. This was a deduction and the bid deductions varied from \$14,000 to \$126,000. This variance made it questionable who the low bidder actually was.

From Morris and Wenell, the City's architects discussions with the general contractors after the openings of the bids, it was determined that there was overlapping of subcontractors' bids which ranged from \$36,000 to \$93,000. In addition, the low bidder, Brown Sheet Metal and Mechanical, Inc. did not submit the required subcontractor's list which would therefore disqualify the low bid submitted.

City Manager Graves stated that in light of these discrepancies, and the problem with the bids submitted, it is recommended that the bids be rejected and that the project be readvertised.

Following Council discussion, with questions being directed to Staff, Council, on motion of Councilman Pinkerton, Katnich second, rejected the bids for "Municipal Service Center, Phase II" and authorized the City Clerk to readvertise for bids thereon.

The City Manager advised the Council that in 1971, the City Council adopted Resolution No. 3480, which eliminated parking on the south side of Donner Drive between Stockton Street and Calaveras Street. This was done because the pavement on Donner Drive was only 20' wide at the time.

PARKING RE-
ESTABLISHED
ON THE SOUTH
SIDE OF DONNER
DRIVE

With the recent completion of the street improvements on Donner Drive in Colony Ranch Subdivision, there is now a standard width street, and it is now in order to re-establish the parking.

RES. NO.
79-177

On motion of Councilman Pinkerton, Katnich second, Council adopted Resolution No. 79-177, re-establishing parking on the south side of Donner Drive between Stockton Street and Calaveras Street.

LODI DODGERS
BASEBALL CLUB
LEASE AND
CONCESSION
AGREEMENT
APPROVED

Following introduction of the matters by City Manager Graves, and Council discussion, Council approved the following Agreements and Leases:

On motion of Councilman Pinkerton, McCarty second, Council approved the Lease and Concession Agreement between the City and the Lodi Dodgers Baseball Club and authorized the City Manager and City Clerk to execute the subject Agreement on behalf of the City. Mayor Katzakian abstained from voting on this

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AGREEMENT FOR On motion of Councilman Pinkerton, Katnich
SOFTBALL AND second, Council approved the Agreement between
ARMORY the City and Shirley Michaeloff for the concession
COMPLEXES privileges for the Softball and Armory Complexes
CONCESSION and authorized the City Manager and City Clerk to
STANDS APPRVD. execute the Agreement on behalf of the City.

LEASE WITH LODI On motion of Councilman Pinkerton, Katnich second,
GRAPE FESTIVAL Council adopted Resolution No. 79-178 approving
AND NATIONAL the Lease between the City and the Lodi Grape
WINE SHOW FOR Festival and National Wine Show for the parcel
GOLF RANCH used by the City for the purpose of conducting
APPROVED a golf driving range, along with such other
customary auxiliary services as are generally
provided at golf driving ranges and authorizing
RES. NO. the Mayor and City Clerk to execute the Lease on
79-178 behalf of the City.

LEASE WITH On motion of Councilman Pinkerton, Katnich second,
LODI GRAPE Council adopted Resolution No. 79-179 approving
FESTIVAL & the Lease between the City of Lodi and the Lodi
NATIONAL WINE Grape Festival and National Wine Show for the
SHOW FOR lease of certain buildings and grounds for
CERTAIN BLDGS. recreational purposes and authorizing the Mayor
AND GROUNDS and City Clerk to execute the Lease on behalf of
TO RECREATIONAL the City.
PURPOSES
RES. NO. 79-179

AGREEMENT WITH On motion of Councilman Pinkerton, Katnich second,
QUAD Council approved an Agreement with Quad Consultants,
CONSULTANTS, Inc. to develop a Downtown Plan and authorized the
INC. FOR DOWN- Mayor and City Clerk to execute the Agreement on
TOWN PLAN. behalf of the City.
APPRVD.

RES. APPROVING Following introduction of the matter by City
IN PRINCIPAL Attorney Stein and background information being
OF THE provided by Ms. Patricia J. Barnett, Attorney-
FINANCING BY at-law of Orrick, Herrington, Rowley and Sutcliffe,
LODI MEMORIAL Council, on motion of Councilman Pinkerton,
HOSPITAL OF A McCarty second, adopted Resolution No. 79-180 -
HOSPITAL "Resolution of the City Council of the City of
PROJECT UNDER- Lodi Approving in Principal the Financing by
TAKEN IN THE Lodi Memorial Hospital, Inc. of a Hospital
BEST INTEREST Project Undertaken in the Best Interest of the City
OF THE CITY OF of Lodi and Necessary and Proper for Municipal
LODI AND and Public Purposes."
PROPER FOR
MUNICIPAL &
PUBLIC
PURPOSES
RES. NO. 79-180

The motion carried by the following vote:

Ayes: Councilmen - Katnich, McCarty, Pinkerton,
and Katzakian

Noes: Councilmen - None

Absent: Councilmen - Hughes

AWARD City Manager Graves presented the following
PADMOUNT bids which had been received for one 750 KVA
TRANSFOREMRS and one 1000 KVA 12-kv padmount transformers:

RES. NO.
79-181

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PADMOUNT TRANSFORMER BID EVALUATION (UD-E79-6)

<u>Supplier</u>	<u>750 KVA</u>	(A) Price Incl. Tax	(B) Cost of Losses	(A) + (B) Life Cycle Cost
Westinghouse Electric Supply Co., Modesto		\$6,455.40	\$7,529.50	\$13,984.90
General Electric Supply Co., Emeryville		7,245.10	7,005.50	14,250.60
Wille Electric Supply Co., Modesto		7,312.94	7,005.50	14,318.44
Howard A. Dunn Co., San Mateo		7,340.50	6,987.00	14,327.50
Valley Electric Co., Stockton		8,220.30	8,950.00	17,170.30
Kuhlman Electric Co., Foster City		10,252.32	7,775.00	18,027.32

1000 KVA

Howard A. Dunn Co., San Mateo	\$7,858.84	\$9,659.50	\$17,518.34
Westinghouse Electric Supply Co., Modesto	7,711.50	9,931.00	17,642.50
General Electric Supply Co., Emeryville	8,880.68	9,213.00	18,093.68
Wille Electric Supply Co., Modesto	8,965.48	9,213.00	18,178.48
Valley Electric Co., Stockton	9,455.20	11,000.00	20,455.20
Kuhlman Electric Co., Foster City	11,527.50	9,650.00	21,177.50

Following recommendation of the City Manager, Council, on motion of Mayor Pro Tempore Katnich, Pinkerton second adopted Resolution No. 79-181 awarding the bid for Padmount Transformers as follows:

750 KVA unit

Westinghouse Electric Supply Co., Modesto	\$6,455.40
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1000 KVA unit

Howard A. Dunn Co., San Mateo	\$7,858.84
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COUNCILMAN
HUGHES
ARRIVES

Councilman Hughes arrived at approximately 8:40 P.M.

ORDINANCES

CIRCULATION
ELEMENT OF
GENERAL PLAN
AMENDED BY
AMENDING
CONCEPTUAL
DESIGNS OF
STREET AND
RAILROAD
PATTERNS

Ordinance No. 1183 entitled, "An Ordinance Amending the Circulation Element of the General Plan (i.e. GP-CE-79-3) by amending the Conceptual Design of Street and Railroad Patterns in the Industrial Areas East of State Highway 99" having been introduced at a regular meeting held November 21, 1979 was brought up for passage on motion of Mayor Pro Tempore Katnich, Pinkerton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty, Pinkerton, and Katzakian

ORD. NO. 1183
ADOPTED

Noes: Councilmen - None

Absent: Councilmen - None

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Ordinance No. 1184 entitled, "An Ordinance amending the Land Use Element of the General Plan by changing the phasing of a Residential-Professional-Commercial area at the southeast corner of West Vine Street and Lower Sacramento Road from Phase II to Phase I to permit immediate development" having been introduced at a regular meeting held November 21, 1979 was brought up for passage on motion of Mayor Pro Tempore Katnich, McCarty second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted, and ordered to print by the following vote:

LAND USE
ELEMENT OF
GENERAL PLAN
BY CHANGING THE
PHASING OF A
R-P-C AREA AT
THE S/E CORNER
OF W. VINE AND
LOWER SACTO.
RD. FROM PHASE
II TO PHASE I
TO PERMIT
IMMEDIATE DE-
VELOPMENT ORD.
1184 ADOPTED

Ayes: Councilmen - Hughes, Katnich, McCarty, Pinkerton, and Katzakian

Noes: Councilmen - None

Absent: Councilmen - None

Ordinance No. 1185 entitled, "Ordinance amending Section 27-13 (a)(iv) of the Lodi Municipal Code reducing to three (3) the number chicken hens, (a)(iv) OF CODE pigeons, rabbits, guinea pigs or similar animals RE CHICKEN kept in any residential district" was brought HENS, AND up for passage on motion of Mayor Pro Tempore SIMILAR ANIMALS Katnich, Pinkerton second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted, and ordered to print by the following vote:

ORD. NO.
1185
ADOPTED

Ayes: Councilmen - Hughes, Katnich, McCarty, Pinkerton and Katzakian

Noes: Councilmen - None

Absent: Councilmen - None

EXECUTIVE SESSION

SOUTHERN PACIFIC TRANSPORTATION COMPANY

The City Council adjourned to Executive Session at 8:41 p.m. On request of the City Clerk, Mayor Katzakian excused her from attending the Executive Session. At approximately 8:50 p.m. the Council reconvened, and Mayor Katzakian reported that the Council had reviewed a letter from the Southern Pacific Transportation Company regarding the Decision No. 91048 of the California Public Utilities Commission dated November 20, 1979. City Attorney Stein was directed to respond to the Southern Pacific Transportation Company pursuant to direction provided by the City Council.

City Clerk Reimche presented a petition circulated by Sandra Kretzer, 1215 S. School Street, Lodi signed by approximately 790 persons which stated that "We, the undersigned, do respectfully request that the recently adopted Animal Control Ordinance be amended to delete that portion pertaining to the restraint of cats on a leash."

The following persons who were in the audience addressed the Council objecting to the restraint of cats on a leash:

ORD. AMENDING
ORDINANCE
NO. 1181 RE
CATS RUNNING AT
LARGE

a) Sandra Kretzer, 1215 S. School Street, Lodi

b) Patricia Hanna, 816 S. Central, Apt. B, Lodi

c) Ann Tecklenburg, 111 S. Rose, Lodi

d) Marie Fagan, 54 N. Corinth, Lodi

e) Eunice Fredericks, 425 E. Oak Street, Lodi

f) Bernard Bowler, 2320 Scarborough Drive, Lodi

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ORD. NO.
1186
INTRODUCED

The following persons addressed the Council asking that Ordinance No. 1181 not be amended:

- a) Eugene Hersam, 2200 Capell Drive, Lodi
- b) Jennifer Blau, 1216 Devine Drive, Lodi

A very lengthy discussion followed with questions being directed to Staff and to the City Attorney.

On motion of Councilman Hughes, McCarty second, Council introduced Ordinance No. 1186 amending Section 3-21 and adding a new Section 3-44 to the City Code as follows:

Sec. 3-21. Dogs running at large - unlawful.

No person owning any dog or having the care, custody or control, or possession of any dog shall suffer, allow, or permit such dog to run, be or remain at large on any public street, road, alley, park, square or other public place, or upon any private property other than the property of the owner or custodian of such dog without the consent of the owner of such property within the corporate limits of the City of Lodi, and all dogs may be deemed running at large within the meaning of this section, unless tied, restrained by chain, strap or cord attached to their collars and actually held by some person or tied or restrained in an automobile or other vehicle, or unless said dog is staked or fastened or kept securely in an enclosure.

Sec. 3-44. Cats running at large - unlawful.

No person owning any cat or having the care, custody or control or possession of any cat shall suffer, allow or permit such cat to run, be or remain at large on any public street, road, alley, park, square or other public place, or upon any private property other than the property of the owner or custodian of such cat without the consent of the owner of such property within the corporate limits of the City of Lodi, and all cats may be deemed running at large within the meaning of this section if such cats are permitted at any time to be beyond the immediate presence, control or supervision of such owner or his employee or agent or some member of his family or unless such cat be kept securely in an enclosure or securely tethered.

The motion carried by the following vote:

Ayes: Councilmen - Hughes, McCarty, and Katzakian

Noes: Councilmen - Katnich and Pinkerton

Absent: Councilmen - None

Councilman McCarty asked that the City Animal Shelter Staff be directed to refrain from lecturing people when they are redeeming their animals.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katzakian adjourned the meeting at approximately 10:30 p.m. to Tuesday, December 18th at 7:00 p.m. at the Hale Park Recreation Facility, 209 E. Locust Street, Lodi at which time a Public Hearing has been set to receive public input on the transportation needs of Lodi area residents.

ATTEST:


ALICE M. REIMCHE
CITY CLERK